

Report Date: October 3, 2017

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
OCT 04 2017
SEAN F. McAWOY, CLERK
YAKIMA, WASHINGTON DEPUTY

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Minh Quang Do

Case Number: 0980 2:13CR00066-LRS-2

Address of Offender:

Spokane, Washington 99205

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: February 25, 2014

Original Offense: Conspiracy to Commit Wire Fraud, 18 U.S.C. § 1349; Wire Fraud, 18 U.S.C. § 1343;
Aggravated Identity Theft, 18 U.S.C. § 1028A(a)(1);

Original Sentence: Prison - 42 months;
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: James A Goeke

Date Supervision Commenced: July 8, 2016

Defense Attorney: Federal Defenders Office

Date Supervision Expires: July 7, 2019

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1

Standard Condition # 2: The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.

Supporting Evidence: On July 8, 2016, supervision commenced in this matter. On August 8, 2016, Minh Do reported to the U.S. Probation Office for the purpose of completing a supervision intake. At that time, his conditions of supervision were read to him, which included the above-noted standard condition number 2.

Mr. Do violated the terms of his supervised release by failing to report to the U.S. Probation Office on or about September 28, 2017. He has failed to report as of this date.

On September 27, 2017, a home visit was conducted at Mr. Do's residence. During the course of the home contact, Mr. Do was directed to report to the U.S. Probation Office the following day at 8:00 a.m.

On September 28, 2017, Mr. Do failed to report. Since that time, he has failed to respond to various phone calls, text messages and home contacts. It appears Mr. Do has absconded from supervision.

- 2 **Standard Condition # 6:** The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.

Supporting Evidence: On July 8, 2016, supervision commenced in this matter. On August 8, 2016, Minh Do reported to the U.S. Probation Office for the purpose of completing a supervision intake. At that time, his conditions of supervision were read to him, which included the above-noted standard condition number 6.

Mr. Do violated the terms of his supervised release by failing to report a change in employment, on or about September 23, 2017.

On October 2, 2017, the undersigned contacted Mr. Do's last known employer, the owner of EconoLodge. He advised that on or about September 23, 2017, Mr. Do appeared for work. Approximately half way through his shift, Mr. Do told him that he had to report to the U.S. Probation Office. Mr. Do then left for work and did not return. He then failed to appear for additional shifts and has not returned phone calls from the employer. Mr. Do's employment is considered terminated.

- 3 **Special Condition # 19:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: On July 8, 2016, supervision commenced in this matter. On August 8, 2016, Minh Do reported to the U.S. Probation Office for the purpose of completing a supervision intake. At that time, his conditions of supervision were read to him, which included the above-noted special condition number 19.

Mr. Do violated the terms of his supervised release by failing to attend substance abuse treatment on or about, September 5, 12, 19, 26 and October 3, 2017.

On June 26, 2017, Mr. Do was enrolled in treatment services at Alcohol, Drug Education Prevention and Treatment. He was also placed in Moral Reconation Therapy (MRT).

In September 2017, Mr. Do failed to appear for any of his MRT sessions. He failed to attend outpatient group sessions on September 19 and 26, 2017.

On September 25, 2017, Mr. Do reported to the U.S. Probation Office to discuss missed treatment classes. At that time, he indicated he had not been missing classes and that it was a misunderstanding.

On September 27, 2017, ADEPT provided the undersigned with details of missed classes, as noted above. That same day, the undersigned conducted a home visit. Mr. Do was questioned about his missed classes. He initially stated that he had been attending, however, when questioned further he indicated he had the treatment book, but would not explain his reasoning for missing classes.

- 4 **Special Condition # 21:** You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: On July 8, 2016, supervision commenced in this matter. On August 8, 2016, Minh Do reported to the U.S. Probation Office for the purpose of completing a supervision intake. At that time, his conditions of supervision were read to him, which included the above-noted special condition number 21. Mr. Do was placed on random urinalysis testing at Alcohol Drug Education Prevention and Treatment (ADEPT) and directed to call the drug testing line daily to determine if testing was necessary.

Mr. Do violated the terms of his supervised release by consuming alcohol, on or about September 26, 2017.

On September 27, 2017, a home contact was conducted. During this home contact, several alcoholic beverage bottles were observed in Mr. Do's bedroom trash can. Mr. Do was questioned about whether or not he had been consuming alcohol. He initially denied alcohol use, indicating the containers belonged to his brother and father. Upon further questioning, Mr. Do admitted to consuming a beer the day prior.

- 5 **Special Condition # 17:** You shall complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement absent further order of the Court. You shall allow reciprocal release of information between the supervising officer and treatment provider. You shall contribute to the cost of treatment according to your ability to pay.

Supporting Evidence: On July 8, 2016, supervision commenced in this matter. On August 8, 2016, Minh Do reported to the U.S. Probation Office for the purpose of completing a supervision intake. At that time, his conditions of supervision were read to him, which included the above-noted special condition number 17.

Mr. Do violated the terms of his supervised release by failing to attend mental health counseling, on or about September 5 and 19, 2017.

On May 31, 2017, Mr. Do was directed to contact mental health provider, Robert Shepard, and attend scheduled appointments. He complied and began mental health counseling sessions on June 2, 2017. His counseling sessions were scheduled for weekly sessions.

On October 3, 2017, Robert Shepard advised, Mr. Do failed to appear for appointments on September 5 and 19, 2017, and October 3, 2017.

Re: Do, Minh Quang

October 3, 2017

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The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 10/03/2017

s/Melissa Hanson

Melissa Hanson
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

10/24/17

Date